

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO,

Debtor.¹

PROMESA

Title III

No. 17 BK 3283-LTS
(Jointly Administered)

**INFORMATIVE MOTION REGARDING REDACTED
DOCUMENTS FOR CCDA LIFT STAY FILING**

¹ The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the "Commonwealth") (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17-BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17-BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority ("PBA") (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

Ambac², Assured, FGIC, and The Bank of New York Mellon, in its capacity as successor trustee for the CCDA bondholders, (collectively, “Movants”) by and through their undersigned attorneys, respectfully submit this informative motion (the “Motion”). Movants respectfully state as follows:

1. On Friday, May 15, 2020, and again today, Movants asked the Court clerk and Prime Clerk to temporarily disable access to the public versions of the following documents, which contain financial account numbers that should be redacted, pursuant to Fed. R. Bankr. P. 9037(a)(4): (1) *Ambac Assurance Corporation, Financial Guaranty Insurance Company, Assured Guaranty Corp., Assured Guaranty Municipal Corp., and the Bank of New York Mellon’s Reply in Further Support of Their Motion Concerning Application of the Automatic Stay to the Revenues Securing the CCDA Bonds* (originally filed as ECF No. 12997); (2) the *Declaration of John J. Hughes, III in Support of Ambac Assurance Corporation, Financial Guaranty Insurance Company, Assured Guaranty Corp., Assured Guaranty Municipal Corp., and the Bank of New York Mellon’s Reply in Support of their Motion Concerning Application of the Automatic Stay to the Revenues Securing the CCDA Bonds* (the “Hughes Declaration,” originally filed as ECF No. 13007); and (3) Exhibit 21 to the Hughes Declaration (originally filed as ECF No. 13007-2).

2. Movants previously filed a motion to redact financial account numbers in certain other documents filed with the Court. *See Motion of Ambac Assurance Corporation, Assured Guaranty Corp., Assured Guaranty Municipal Corp., National Public Finance Guarantee Corporation, Financial Guaranty Insurance Company, The Bank of New York Mellon, and U.S. Bank Trust National Association to Redact Previously Filed Documents Pursuant to Federal Rule*

² Unless otherwise specified, defined terms have the meanings given to them in the *Stipulation and Protective Order* (ECF No. 12912) (the “Protective Order”) and Lift Stay Motions.

of Bankruptcy Procedure 9037(H) (ECF No. 13047). This motion was granted. *See Order Granting Motion* (ECF No. 13067).

3. Pursuant to the *Order Granting Motion to Seal for Limited Duration and for Supplemental Briefing* (ECF No. 13029, the “May 4 Order”), the Government Parties are expected to submit to the Court today a short brief justifying proposed redactions for some of the documents referenced above (*see supra* ¶ 1). In particular, Movants understand that the Government Parties are likely to withdraw some of the confidentiality designations that required Movants to submit portions of the CCDA Lift Stay Reply Brief and the Hughes Declaration (and certain exhibits thereto) under seal. Movants understand that the Government Parties will be requesting continued sealing as to other portions of those filings.

4. Accordingly, Movants will file new public versions of the relevant filings, promptly after the Court rules on the Government Parties’ request for continued sealing so that appropriately limited redactions can be applied to these filings consistent with the Court’s orders. Unless the Court orders otherwise, when these papers are re-filed, Movants will redact all but the last four digits of financial account numbers in accordance with Federal Rule of Bankruptcy Procedure 9037(a)(4).

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Dated: May 18, 2020
San Juan, Puerto Rico

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***Attorneys for The Bank of New York Mellon, in
its Capacity as Trustee to CCDA Bondholders***

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CERTIFICATE OF SERVICE

I hereby certify that on this same date a true and exact copy of this notice was filed with the Clerk of Court using the CM/ECF system, which will notify a copy to counsel of record.

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